

1 John A. Kawai, NSBN 14893  
2 CARPENTER, ZUCKERMAN, & ROWLEY  
3 400 South 4th Street, Suite 500  
4 Las Vegas, NV 89101  
5 Phone: 805-272-4001  
6 Email: [team3@czrlaw.com](mailto:team3@czrlaw.com)

7 Deborah A. Bianco, *Pro Hac Vice*  
8 PO Box 6503  
9 Bellevue, WA 98008  
10 (425) 747-4500  
11 Email: [deb@debbiancolaw.com](mailto:deb@debbiancolaw.com)

12 Carol L. Hepburn, *Pro Hac Vice*  
13 PO Box 17718  
14 Seattle, WA 98127  
15 Tel: (206) 957-7272  
16 Fax: (206) 957-7273  
17 Email: [carol@hepburnlaw.net](mailto:carol@hepburnlaw.net)

18 Of Attorneys for Plaintiffs.

19 UNITED STATES DISTRICT COURT  
20 DISTRICT OF NEVADA

21 Lily, *et al.*,

22 Plaintiffs,

23 v.

24 JAN ROUVEN FUECHTENER,

25 Defendant.

Case No: 2:19-cv-00352-RFB-EJY

DECLARATION OF DEBORAH A. BIANCO  
IN SUPPORT OF MOTION FOR APPROVAL  
OF MINOR SETTLEMENT RE PIA, A MINOR

HEARING DATE:

TIME: 10:00 am

COURTROOM:

BEFORE HONORABLE MAGISTRATE JUDGE  
ELAYNA J. YOUCHAH  
UNITED STATES DISTRICT COURT

26  
27  
28 DECLARATION OF DEBORAH A. BIANCO IN SUPPORT OF  
MOTION FOR APPROVAL OF MINOR SETTLEMENT

1  
2  
3  
4 I, DEBORAH A. BIANCO, hereby declare the following:

5 1. I am an attorney licensed to practice law in the states of Washington, Missouri and  
6 Illinois, and I make this declaration based on my personal knowledge and belief and I am competent to  
7 testify to the facts set forth herein.

8  
9 2. Qualifications. I have been licensed to practice law continuously since 1983. A copy  
10 of my Curriculum Vitae is attached hereto as Ex.1. I am currently licensed and in good standing in the  
11 states of Washington, Missouri, and Illinois. I have never been disciplined by any Bar Association and  
12 there are no matters currently pending with any Bar Association concerning me.

13  
14 3. Carol Hepburn and I jointly represent the Plaintiff Pia in this matter. We also co-  
15 represent approximately 12 other victims of child pornography crimes.

16  
17 4. I am primarily responsible for matters involving the Plaintiff from the Sweet Sugar  
18 series, identified by the pseudonym of Pia. John Kawai is our local counsel and has conferred with us  
19 prior to and throughout the pendency of this matter. Carol Hepburn, John Kawai, and I have jointly  
20 worked on this case, on behalf of all of the Plaintiffs.

21 5. Appropriateness of Proposed Settlement. Over the last few years there have been a  
22 number of settlements of civil claims negotiated on behalf of the Sweet Sugar victim, as well as other  
23 victims, including some who are Plaintiffs in this case, and others with similar claims but who are not  
24 Plaintiffs in this matter. None of these civil claims by victims of child pornography crimes has  
25 proceeded to trial.  
26  
27

28 DECLARATION OF DEBORAH A. BIANCO IN SUPPORT OF  
MOTION FOR APPROVAL OF MINOR SETTLEMENT

1           6.       During the conduct of this matter and particularly during settlement negotiations, Carol  
2 Hepburn and I have kept our clients apprised of the legal issues raised and the progress of the  
3 litigation. Important concerns in this matter include the paucity of reported cases on the legal issues  
4 raised by the claim or the affirmative defenses, the prospect of collection of any settlement or  
5 judgment, and shielding our minor clients from deposition or any direct involvement in this  
6 litigation. I have personally communicated with the legal guardian/Next Friend of the Sweet Sugar  
7 victim Pia. Both are in favor of this settlement.  
8

9           7.       In light of these issues, the particular facts of this case, and based on my knowledge of  
10 settlements of other claims brought on behalf of this Plaintiff and others similarly situated, we believe  
11 that this overall settlement is fair and reasonable for our clients and is in the best interests of our  
12 minor clients, including Pia. Pia's Next Friend and legal guardian also believes that this settlement is  
13 in Pia's best interests.  
14

15           8.       Fees and Costs. This is a contingent fee case in which I do not expect to earn my  
16 normal hourly rate of \$450.00. The Plaintiffs' team, as a whole, has expended more than \$50,000 in  
17 attorneys' fees working on the case up to the point of settlement. I believe, based on the amount of  
18 the settlement, the fees that will be paid to the attorneys in this matter will be considerably less than  
19 what we would have earned had we been billing our clients on an hourly basis, but the fees of 1/3 of  
20 the total recovery are consistent with our fee agreements with our clients.  
21

22           In the time that this case has been pending, I have: drafted pleadings, reviewed and edited  
23 drafts of pleadings, had numerous phone conferences and email correspondence both with my co-  
24 counsel and with opposing counsel. I have performed legal research, communicated concerning the  
25 status of the proceedings to clients, worked on discovery, and drafted legal memoranda. I have  
26  
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28       DECLARATION OF DEBORAH A. BIANCO IN SUPPORT OF  
MOTION FOR APPROVAL OF MINOR SETTLEMENT

1 expended in excess of 30 hours on this case at \$450 an hour, 30 hours amounts to \$13,500.00. None  
2 of the clients to my knowledge have paid any of the costs in this matter.

3  
4 9. Plaintiffs' counsel have also advanced costs on behalf of their clients in this matter. I have  
5 personally incurred and paid costs consisting of \$1946 paid to plaintiffs' forensic expert, Kevin Laws  
6 in connection with his travel, lodging, and work in Las Vegas for the identification of the images of  
7 the Sweet Sugar victim in this case. None of the clients to my knowledge have paid any of the costs  
8 in this matter.

9  
10 10. I ask the court to approve the minor settlement in this matter and to approve the fees and  
11 costs requested overall.

12 I hereby declare under penalty of perjury under the laws of the United States of America that  
13 the foregoing is true and correct to the best of my knowledge.

14 Respectfully signed and submitted this 1<sup>st</sup> day of October at Bellevue, Washington.

15  
16 

17 By: Deborah A. Bianco, Pro Hac Vice  
18 Attorney for Plaintiff Jane Roe for Pia

## Exhibit 1

## Deborah A. Bianco

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### EDUCATION

1980 B.A. Washington University, St. Louis Missouri cum laude

1983 J.D. Washington University, St. Louis, Missouri

### LICENSURE

State of Illinois-November 9, 1983; Bar number 06185162

State of Missouri-May 5, 1984; Bar Number 31245

State of Washington-November 13, 1990; Bar Number 19826

### EMPLOYMENT

*June, 1982- December, 1983*

Land of Lincoln Legal Assistance Foundation, St. Clair County Office, 327 Missouri Avenue, East St. Louis, IL 62201; (618) 271-9140,

and

*August 1984- November, 1987;*

Land of Lincoln Legal Assistance Foundation, Madison County office, 413 East Broadway, Alton, Illinois 62202; (618) 462-0036

I worked for these Legal Services Corporation offices in two *January-May, 1990* different locations, first as a law student in East St, Louis, Illinois, then as a staff attorney, in Alton, Illinois, and later, again, as a staff attorney in East St. Louis, Illinois. My movement between offices was largely a function of LSC budget cuts. In both offices I handled a family law caseload of cases consisting almost exclusively of domestic violence and contested child custody matters, although I also had an opportunity to be involved in class action litigation in the East St. Louis office.

*November, 1987- July, 1989*

*Love, Lacks & Paule, Inc. P.S.,*

*11 S. Meramec, Seventh Floor, Clayton, Missouri 63105; (314) 863-4100*

I was employed as litigation associate, working initially as in-house counsel for the local Coldwell-Banker residential real estate group, but gradually assuming a domestic relations caseload with an emphasis on issues involving children.

*October, 1990- July, 1992 Anderson & Fields, Inc. P.S.,*

*207 East Edgar St., Seattle, WA 98102; (206)322-2060*

I worked as an associate attorney handling family law matters and maintaining my own caseload of family law cases, including dissolutions, modifications, juvenile court, pre-nuptial contracts and domestic violence cases.

*July, 1992 October, 1995-*

*Reaugh, Fischnaller & Oettinger, Inc. P.S., 2001 Sixth Avenue, Suite 3000, Seattle, WA 98121; (206)448-7600*

I worked as a family law attorney, primarily, although during my employment I also had an opportunity to be involved in a legal malpractice action involving a prominent family law attorney, and I also served as co-counsel in a jury trial involving an employment matter.

*October, 1995- December, 2007 Campiche, Hepburn & Bianco, P.L.L.C.  
300 Elliott Avenue West, Suite 550, Seattle, WA 98119  
(206)281-9000*

I was an owner/unit holder of the firm. My practice consisted primarily of family law matters. The firm was composed of three attorneys with a support staff of five employees.

January, 2007-Present Deborah a. Bianco, P.S., 14535 Bellevue-Redmond Rd.  
#201, Bellevue, WA 98007 (425) 747-4500

Since January 1, 2007, I have been self-employed, as a sole proprietor in my own law firm. I represent individual clients in family law matters. I work with a paralegal, Lesley Roberts, who has worked with me for the past 22 years.

#### **LAW RELATED ACTIVITIES**

I was a member of the Board of Directors for Legal Services of Eastern Missouri from 1988-89.

I served as a member of the Highline Community College Paralegal Program Advisory Board from 1994-2003 and I was the chair of the board for one year.

I served as a mentor in the King County Bar Association Family Law Mentor Program from 1994-2012.

I received a certificate in mediation from the University of Washington Law School Foundation Professional Mediation Skills Training Certificate Program in 1994, and mediation has been a part of my practice since that time.

I have been a volunteer mediator for the King County Settlement Conference program in both Kent and Seattle, since 1996.

I served as a volunteer attorney in the King County Bar Neighborhood Legal Clinic program from 2007-2015.

I took the University of Washington Parenting Evaluation Training Program and attended Guardian ad Litem training. I served as a guardian ad litem until 1998.

I currently serve as a family law commissioner pro tempore, for King County and have served as a family law court commissioner pro tempore since 1998.

I have written materials and/or been presenter of the following:

Panel member-Sexual and Domestic Violence	April, 1987
Trying A Contested Child Custody Case	April, 1989
Surviving Transitions With the Legal System	April 7, 1989
Family Law Litigation in Washington	1994
Using the Psychology Expert in Custody and Visitation Issues in Washington	September 26, 1996
Family Law in Washington	March 22, 1996
Preparing a Parenting/Custody case	March 25, 1997
WSTLA <i>Trial News</i> "Litigating Under the Hague Convention"	January, 2001
Child Custody and Visitation in Washington	February 22, 2001
Child Custody and Visitation in Washington	April 16, 2002
McKinley Irvin CLE Speaker Series-Domestic Violence	April 8, 2015
King County Bar Association-Navigating the King County Ex Parte Department	December 14, 2016

I am a member of the following Bar Associations:

- Washington State Bar Association (#19826)
- The Missouri Bar (#31245)
- Illinois State Bar Association (#6185162)
- American Bar Association
- King County Bar Association
- Association of Family and Conciliation Courts
- National Crime Victims Bar Association